

MINUTES OF THE
HEALTH SERVICES COMMITTEE
THURSDAY, MARCH 13, 2008

At a meeting of the **Health Services Committee**, held Thursday, March 13, 2008, in the Board Room, on the 9th Floor of the Administration Building, Mt. Clemens, the following members were present:

DeSaele-Chair, Brdak, Camphous-Peterson, Doherty, Drolet, J. Flynn,
Gielegthem, Mijac, Rengert, Roberts, Rocca, Switalski and Torrice.

There being a quorum of the committee present, Chair DeSaele called the meeting to order at 9:03 a.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

AGENDA

MOTION

A motion was made by Gielegthem, supported by Torrice, to adopt the agenda, as amended, to include #6a. **The Motion Carried.**

MINUTES

MOTION

A motion was made by Torrice, supported by Gielegthem, to approve the November 27 (special), November 28 (special) and November 30 (special), 2007 minutes of this committee, as written. **The Motion Carried.**

PUBLIC PARTICIPATION

Michele Render, 35220 Pleasant Farm, Richmond Township

Ms. Render spoke about conditions at the Macomb County Animal Shelter. She requested that the Board take action to transition the Animal Shelter to a "no kill" facility, to include posting photos of animals on line at various sites, bring in volunteers to help in the clean up and exercising of the animals and that the community be offered an opportunity to sponsor a kennel.

REPORT FROM WATER QUALITY BOARD

MOTION

A motion was made by Drolet, supported by Rengert, to receive and file a report of the Macomb County Water Quality Board outlining their February 12th meeting. **The Motion Carried.**

DRAFT COPY OF ORDINANCE TO BAN LAWN FERTILIZER CONTAINING PHOSPHOROUS IN MACOMB COUNTY

Committee was in receipt of a draft ordinance that was supported by the Water Quality Board at its March 11th meeting.

Mr. Kalkofen stated that the issue of whether the County has the authority to adopt an ordinance needs to be further pursued, but he suggested that the Board support a statewide ban on phosphorous fertilizers.

Commissioner Gielegghem stated that the two issues involved are the legality of adopting an ordinance and the enforcement of it. He asked Ms. Laemmerman to address those issues. Ms. Laemmerman said she intends to work with Corporation Counsel.

Mr. Brumbaugh said he received a copy from the committee Chair, but has not looked at it in depth and would need time to research whether the County has the authority to do it or is pre-empted from doing it because of other state regulations.

Commissioner Gielegghem agreed that this would be more effective at the state level, but said he does not want to wait for them to take action since this is an important issue. He said he would be in support of whatever can be done locally.

Commissioner Doherty asked Mr. Kalkofen about the enforcement of an ordinance. Mr. Kalkofen said it would depend on what the requirements of the ordinance are.

Commissioner Doherty asked if there is an urgency to being added to today's agenda. Commissioner Roberts explained that she asked that this be added to the agenda so that committee can begin discussions and have Corporation Counsel look at the legal questions related to it.

Commissioner Roberts offered a motion to adopt a resolution urging the State of Michigan to pass a statewide ordinance on fertilizers that would then be forwarded to the Macomb delegation and the Governor.

Commissioner Rengert stated that a motion cannot be made after discussion. He offered a motion to refer this back to a later date. He said he has questions about the effect on the agricultural industry in Macomb County, the costs and enforcement of it.

Commissioner Doherty requested a point of information. She said she yielded her position so that Commissioner Roberts could speak to the issue. She said when that was concluded, Commissioner Roberts got the floor and made her motion.

Chair DeSaele stated that she has no problem with Commissioner Robert's motion if someone else wants to make it. She supported Commissioner Rengert's motion.

Commissioner Doherty challenged the Chair.

Chair DeSaele explained that a yes vote upholds the ruling of the chair.

A roll call vote was taken on the motion to challenge the Chair as follows:

Voting Yes were Drolet, J. Flynn, Rengert, Rocca, Camphous-Peterson and DeSaele. There were 6 "Yes" votes.

Voting No were Brdak, Doherty, Gielegghem, Mijac, Roberts, Switalski and Torrice. There were 7 "No" votes.

The Challenge Carried.

COMMITTEE RECOMMENDATION – MOTION

A MOTION WAS MADE BY ROBERTS, SUPPORTED BY GIELEGHEM, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS ADOPT A RESOLUTION URGING THE STATE OF MICHIGAN TO PASS A STATEWIDE ORDINANCE BANNING FERTILIZERS TO BE FORWARDED TO THE MACOMB COUNTY DELEGATION AND THE GOVERNOR.

Commissioner Rocca indicated that the motion is not worded correctly because the State of Michigan does not pass resolutions for ordinances; they pass laws.

Commissioner Gielegghem stated that the intent is to ask our legislators to look into this issue and move forward with something that gives protection for the quality of our water. He said that Commissioner Roberts can work on the recommended language changes before it is presented at the Full Board meeting.

Commissioner Roberts explained that the Water Quality Board has been discussing phosphorous since last summer when a presentation was made about problems with phosphorous. She said her intention is to do something about phosphorous and that they have been using the term ordinance in their discussions. She also noted that there are exemptions in the model ordinance that Ms. Laemmerman brought forward that accommodates agriculture and agreed that discussions need to be held with those that will be impacted by this. She said her intention is to adopt something that is reasonable, but at the same time effective.

Commissioner Doherty offered some friendly amendments: change the word "ordinance" to "law"; change the word "fertilizers" to "fertilizers containing phosphorus greater than zero percent" and include the exemptions listed in the document that was passed out today.

Commissioner Roberts thought the exemptions should be determined by the state when creating the law. Commissioner Doherty agreed to delete that amendment.

A roll call vote was taken as follows:

VOTING YES WERE BRDAK, DOHERTY, J. FLYNN, GIELEGHEM, MIJAC, ROBERTS, ROCCA, SWITALSKI, TORRICE, CAMPHOUS-PETERSON AND DeSAELE. THERE WERE 11 "YES" VOTES.

VOTING NO WERE DROLET AND RENGERT. THERE WERE 2 "NO" VOTES.

THE MOTION CARRIED.

The motion now reads as follows:

COMMITTEE RECOMMENDATION – MOTION

A MOTION WAS MADE BY ROBERTS, SUPPORTED BY GIELEGHEM, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS ADOPT A RESOLUTION URGING THE STATE OF MICHIGAN TO PASS A STATEWIDE LAW BANNING FERTILIZERS CONTAINING PHOSPHOROUS GREATER THAN ZERO PERCENT AND THAT THE RESOLUTION BE FORWARDED TO THE MACOMB COUNTY DELEGATION AND GOVERNOR'S OFFICE. **THE MOTION CARRIED.**

MOTION

A motion was made by Camphous-Peterson, supported by Torrice, to receive and file a draft copy of "Ordinance to Ban Lawn Fertilizer Containing Phosphorous in Macomb County." **The Motion Carried with Drolet voting "No."**

S.W.I.M. TEAM REPORT FOR JANUARY, 2008

MOTION

A motion was made by Camphous-Peterson, supported by Doherty, to receive and file the S.W.I.M. Team Report for January, 2008. **The Motion Carried.**

PROSECUTOR'S ENVIRONMENTAL UNIT REPORT FOR FEBRUARY, 2008

MOTION

A motion was made by Rengert, supported by Camphous-Peterson, to receive and file the status report provided on the Prosecutor's Environmental Unit for February, 2008, as submitted by Luanne Laemmerman. **The Motion Carried.**

REPORT ON ROLE AND FUNCTIONS OF ANIMAL SHELTER

Mr. Kalkofen reported on the mission and responsibilities of the Animal Shelter. He said the primary responsibilities by statute, which was written in 1919, are licensing and regulation of dogs and the protection of livestock and poultry from dogs, as well as protection of the population from disease. He said the responsibilities have been expanded in Macomb County.

He spoke about the number of animals euthanized at the shelter, but indicated that in looking at the statistics of animal shelters across the country, they are in the same ballpark. He said they are not mandated to accept and euthanize the animals, but it is a service that they take on and they accept it as a responsibility of the shelter and to the community. He also noted that it is a deliberate action of other shelters to bring those animals to them, which keeps their numbers down. He said he agrees that changes can be made and they are willing to make changes and are looking at different ways to reduce the numbers and provide better circumstances for the animals. He said they have revisited all internal policies and protocol in the shelter and are expanding their criteria for adoption. He said they are working with the Information Technology Department regarding the ability to place animals on websites.

He said they recently reformatted the guides to work with rescue organizations and a letter was sent to 19 rescue organizations inviting them to contact the shelter for an orientation on how they can help them move more animals through the front door.

He said they are retraining staff and are going to try to implement programs that provide more education to the community and encourage people to adopt and to have their pets spayed and neutered.

He explained the time requirements for holding of animals and said they have expanded the number of days that they hold the animals to allow the owners an opportunity to rethink whether they want to give up the animal. He said they have a relationship with the Humane Society for those animals that come in hurt or ill.

Commissioner Doherty asked about using volunteers at the shelter. Mr. Kalkofen stated that he is not opposed to it, but their employees are union represented and they have to be careful of the duties assigned to volunteers. He also noted that physical changes would have to be made to the facility.

Commissioner Rocca commended Ms. Jeroue and her staff at the shelter for doing a wonderful job. She said she has worked with them on changing how cats are euthanized and they were very receptive to that change.

Commissioner Torrice stated that she is working on a resolution to transition the Animal Shelter to a "no kill" facility and is working on a website to educate the public about adoption and neutering of animals.

Commissioner Brdak felt the online process will be a step in the right direction and wondered when that will be ready. Mr. Kalkofen said he does not have a time frame, but said it has been identified as a priority.

MOTION

A motion was made by Camphous-Peterson, supported by J. Flynn, to receive and file the report from the Macomb County Health Department on the Animal Shelter. **The Motion Carried.**

RECOMMENDATION TO SUSPEND WEST NILE VIRUS COMMUNITY ASSISTANCE PROGRAM

Mr. Kalkofen explained that a fund was established several years ago to reimburse local communities for taking actions to reduce the mosquito population, which would have an effect on the West Nile Virus. He said that this was not funded for 2008, but he was told by the Finance Department that there is a fund balance available of \$150,000. He said that from a public health perspective, it is important to continue efforts in the community, but indicated that the number of cases has gone down significantly and there is some immunity in the communities.

MOTION

A motion was made by Gielegghem, supported by Doherty, to suspend the West Nile Virus Community Assistance Program and refer to the Budget Committee for placement of the remaining funds to reduce the budget deficit. **The Motion Carried.**

AUTHORIZE HEALTH DEPT. TO APPLY FOR ENVIRONMENTAL PROTECTION AGENCY GRANT FOR COLLECTION OF UNWANTED HOUSEHOLD MEDICINES AND ELECTRONIC WASTE

COMMITTEE RECOMMENDATION – MOTION

A MOTION WAS MADE BY J. FLYNN, SUPPORTED BY BRDAK, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS AUTHORIZE THE HEALTH DEPARTMENT TO APPLY FOR AN ENVIRONMENTAL PROTECTION AGENCY GRANT IN THE AMOUNT OF \$10,526 FOR THE COLLECTION OF UNWANTED HOUSEHOLD MEDICINES AND ELECTRONIC WASTE. **THE MOTION CARRIED.**

AUTHORIZE HEALTH DEPT. TO APPLY FOR MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY GRANT FOR LAKE ST. CLAIR SHORELINE WATER QUALITY MONITORING

COMMITTEE RECOMMENDATION – MOTION

A MOTION WAS MADE BY GIELEGHEM, SUPPORTED BY DOHERTY, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS AUTHORIZE THE HEALTH DEPARTMENT TO APPLY FOR A MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY GRANT IN THE AMOUNT OF \$29,839.40 FOR LAKE ST. CLAIR SHORELINE WATER QUALITY MONITORING. **THE MOTION CARRIED.**

AUTHORIZE HEALTH DEPT. TO APPLY FOR MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY GRANT FOR INLAND LAKE BEACH MONITORING

COMMITTEE RECOMMENDATION – MOTION

A MOTION WAS MADE BY DOHERTY, SUPPORTED BY J. FLYNN, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS AUTHORIZE THE HEALTH DEPARTMENT TO APPLY FOR A MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY GRANT IN THE AMOUNT OF \$9,231.54 FOR INLAND LAKE BEACH MONITORING. **THE MOTION CARRIED.**

AUTHORIZE HEALTH DEPT. TO APPLY FOR MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY GRANT FOR CLINTON RIVER WATER MONITORING

COMMITTEE RECOMMENDATION – MOTION

A MOTION WAS MADE BY DOHERTY, SUPPORTED BY CAMPHOUS-PETERSON, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS AUTHORIZE THE HEALTH DEPARTMENT TO APPLY FOR A MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY GRANT IN THE AMOUNT OF \$46,559.02 FOR CLINTON RIVER WATER MONITORING. **THE MOTION CARRIED.**

ADOPT RESOLUTION DECLARING APRIL 7-13, 2008 AS PUBLIC HEALTH WEEK IN MACOMB COUNTY (OFFERED BY BOARD CHAIR)

COMMITTEE RECOMMENDATION – MOTION

A MOTION WAS MADE BY DOHERTY, SUPPORTED BY ROCCA, TO RECOMMEND THAT THE BOARD OF COMMISSIONERS ADOPT A RESOLUTION DECLARING APRIL 7-13, 2008 AS PUBLIC HEALTH WEEK IN MACOMB COUNTY. **THE MOTION CARRIED.**

ADJOURNMENT

MOTION

A motion was made by Rengert, supported by Doherty, to adjourn the meeting at 10:57 a.m. **The Motion Carried.**

Corinne Bedard
Committee Reporter